

The Central Land Council's submission to the Backing Indigenous Ability Program (BIA)

The Central Land Council welcomes the opportunity to make a submission on the proposed Backing Indigenous Ability Program.

The CLC does not have specific technical expertise in the area of telecommunications, however, we play an advocacy role in relation to the delivery of appropriate services to Aboriginal people and communities in our region.

This submission builds on the numerous other CLC Submissions made on telecommunications issues over the years. These include the CLC submission to the Commonwealth's Strategic Study for Improving Telecommunications in Regional, Rural and Remote Indigenous Communities, the submission to the Australian Communications Authority Payphone Review and the submission into the review of the Universal Service Obligation. If possible this submission should be read in conjunction with the other CLC submissions, all of which are publicly available, or available from the CLC.

The Central Land Council.

The Central Land Council (CLC) is a Statutory Authority established under the Commonwealth *Aboriginal Land Rights Act (NT) 1976* (ALRA). The CLC is also a Native Title Representative Body established under the *Native Title Act 1993*. The CLC is located in the southern portion of the Northern Territory and covers an area of 775 963 sq km, of which, 381 792 sq km Aboriginal Freehold claimed under the ALRA.

The CLC is directed by its Council, which consists of 90 members who represent traditional landowners and communities throughout the CLC region. The CLC represents approximately 18 000 Indigenous people resident in the CLC region.

Indigenous communities located within the CLC area are diverse and include small family "outstations", large regional communities and urban communities within the larger service centres of Alice Springs and Tennant Creek. Despite the diversity existing between the various Aboriginal communities in central Australia, telecommunication infrastructure is generally limited or non-existent.

Key Recommendations

The Key Recommendations of this submission are as follows:

Recommendation 1

That a greatest needs approach be adopted to the provision of telecommunications infrastructure and that priority is given to those communities who do not have access to basic telecommunications infrastructure.

Recommendation 2

That identifying priority communities is a task that should be undertaken by the Department of Communications, Information Technology and the Arts (DCITA) and the Australian Communications and Media Authority (ACMA). That prioritisation is first given to regions of greatest need, and then to communities within the region.

Recommendation 3

The CLC recommends that where regional agents exist it is important that they are provided with adequate funding. Where regional agents do not currently operate DCITA should provide funding for the establishment of regional agents.

Recommendation 4

The Central Land Council proposes that funding under the BIA program be provided to cover network extension costs.

Recommendation 5

That DCITA recognise that Aboriginal people with critical telecommunications needs are often unaware of the funding available to them for provision of telecommunications infrastructure. The CLC strongly recommends that DCITA not rely on a process where Aboriginal people apply directly for funding.

Recommendation 6

That the BIA offer a number of different models of telecommunications access to remote Aboriginal communities, rather than just focusing on the robust phone. In particular the CLC would like to see a widespread roll out of the country calling line product to remote communities, and particularly to those without existing infrastructure.

Recommendation 7

That DCITA recognise that issues surrounding the recording and storing of culturally significant material are complex and require serious consideration.

Recommendation 8

That DCITA should consult directly with bodies such as the Australian Institute of Aboriginal and Islander Studies (AIATSIS), the Strelow Centre and the State and Territory Libraries before any policy is developed in this area.

Recommendation 9

That DCITA, the ACA and service providers work to develop an affordable pre-paid mobile phone package for low income consumers.

A 'Greatest Needs' Approach

Telecommunications infrastructure is essential infrastructure. Government funding for the provision of telecommunications infrastructure is limited. The Central Land Council recommends the adoption of a 'greatest needs' approach to the provision of Telecommunications infrastructure in Australia. What this means is that priority is given to communities of greatest need, which are those communities who do not have access to basic telecommunications infrastructure.

The Community Phones Program (CPP) has had limited impact in improving the welfare of Indigenous people in remote communities in that the program has provided additional services to communities that already have a level of infrastructure. A much more strategic approach is one in which communities that do not have existing

telecommunications infrastructure, and that fall outside Telstra's Universal Service Obligation (USO), be provided with a level of servicing.

Identifying priority communities is a task that should be undertaken by the Department of Communications, Information Technology and the Arts (DCITA) and the Australian Communications and Media Authority (ACMA). Indigenous Coordination Centres (ICCs) are not well placed to fulfil this role, and often have a limited number of DCITA staff. Prioritisation should be done first at the regional level, based on broad data on telecommunications infrastructure. Under this approach priority must be given to central Australia which has extremely poor infrastructure particularly in contrast to often funded Indigenous regions, such as Cape York. After this broad regional assessment is conducted DCITA and ACMA staff should prioritise communities in the region based on existing data sets and discussion with regional agents or, where no regional agents operate, other Aboriginal organisations (this is discussed in greater detail below).

Recommendation 1

That a greatest needs approach be adopted to the provision of telecommunications infrastructure and that priority is given to those communities who do not have access to basic telecommunications infrastructure.

Recommendation 2

That identifying priority communities is a task that should be undertaken by the Department of Communications, Information Technology and the Arts (DCITA) and the Australian Communications and Media Authority (ACMA). That prioritisation is first given to regions of greatest need and then to communities within the region.

A regionalised approach

Small communities with limited or no infrastructure may be better served if a regional approach is taken, rather than considering each community on a discreet basis. Planning for the provision of telecommunication infrastructure, including payphones, must acknowledge:

- the linkages between communities,
- the demographics of a region including mobility and population shifts,
- the social and economic needs of residents,
- the requirements of the service providers, and,
- the remoteness of a community from existing infrastructure and services.

While the provision of Telecommunication infrastructure is expensive, costs involved could be minimised by adopting a regional approach to planning the roll out of infrastructure rather than considering each community discreetly. Finally, a regionalised approach to service provision, such as one structured around language groups, may have particular implications for the telecommunications infrastructure developed in a particular area. It may be, for example, that if phone cards are used in facilities within a particular region, then the voice-over for the card can be recorded in the language of the region.

The important role of regional agents

Regional agents play an important role in securing telecommunications services and ensuring that services are delivered within an appropriate timeframe and maintained to an adequate standard. Regional agents often operate as conduits between DCITA, the service provider and Indigenous communities. They are often well placed to advocate on behalf of the Indigenous communities they represent. It is arguable that one of the reasons that access to telecommunications services are relatively poor in the central Australia is that no regional agent operates in the region.

Where regional agents exist it is important that they are provided with adequate funding. In addition, where regional agents do not currently operate DCITA should provide funding for the establishment of regional agents.

Recommendation 3

The CLC recommends that where regional agents exist it is important that they are provided with adequate funding. Where regional agents do not currently operate DCITA should provide funding for the establishment of regional agents.

Payphone services are essential services

A 'greatest needs' approach also involves looking at the types of services that should be prioritised. Such an approach would have particular implications for the provision of payphone services in Australia because of the role of payphones, as basic infrastructure, in allowing people access to emergency services.

Payphone services are essential services for remote Aboriginal communities in central Australia. Payphones are often the only means of accessing emergency services in remote communities where a large number of people often have critical health related needs. In addition, basic telecommunications infrastructure is an important precursor to economic development. In relation to this point the Telecommunications Action Plan for Remote Indigenous Communities (TAPRIC 2002: 5) notes that:

Telecommunications is an important tool for the economic development and self-sufficiency of remote Indigenous communities and can assist them to achieve their social and business aspirations.

Moreover, access to telecommunications infrastructure affords communities better access to other government services, and, in particular, the health, education and justice sectors. Telecommunications also help Aboriginal people to maintain cultural and family ties.

Payphones are the key telecommunications infrastructure required by remote Aboriginal communities. TAPRIC (2002: 6) states that 'the highest priority need in communities is for better telephone services'. This is because of the low take-up rate of residential fixed phone services in remote communities which, in turn, is due to problems of managing both usage and debt. For these reasons, the form of telecommunications most appropriate to addressing the needs of people in remote communities is payphones.

Access to payphones is a significant issue in remote Aboriginal communities in central Australia. In 2000, the Department of Communications, Information Technology and the Arts (DCITA) noted that, 'in remote areas, especially in

Indigenous communities, lack of payphone access is a significant issue' and 'there is a need for improved payphone services' (DCITA 2000: 91). A large number of communities and outstations within the central Australian region do not currently have access to payphones. This is in spite of Telstra's Universal Service Obligation (USO) which states that:

there is an obligation to ensure that...payphones are reasonably accessible to all people in Australia on an equitable basis, wherever they reside or carry on business.

The USO fails to meet the payphone needs of Aboriginal communities

There are three key reasons for the failure of the USO to meet the payphone needs of remote Aboriginal communities in central Australia. The Universal Service Obligation (USO) denies eligibility for a Payphone to those communities with a permanent population of less than 20 adults.

The Community Housing and Infrastructure Needs Survey (ABS 1999) identifies 1,291 discrete, remote Indigenous communities in Australia, the majority of which are located in the Northern Territory (53 per cent). Moreover, most of these communities are small in size, with 73 per cent of these communities having a population of less than 50. Given that a total population of 50 may still not represent more than 20 adults it may be that most of these communities fall outside the USO and are not serviced by Telstra. In the experience of the CLC, a large number of the communities within the central Australian region are communities of populations of less than 20 adults. In addition, many of these communities are located on 'outstations' which, because they are poorly serviced, are not inhabited on a permanent basis and thus fall outside the USO criteria of permanent population also.

Further, under the USO, communities will not be serviced if they are located within 40 kilometres of an existing payphone service. Thus 'reasonable access' in this instance presupposes that community members will have access to a vehicle and well maintained road in order to travel the distance to the nearest payphone in an emergency. Such assumptions are not always warranted.

The effect of these restrictions is to seriously impact upon the operation of the USO within the central Australian region, leaving a large number of Aboriginal people within remote communities without access to even basic payphone services in an emergency.

BIA funding should cover network extension costs

The Central Land Council proposes that funding be provided to cover the reasonably small allocation required by Telstra to cover network extension costs. These costs, although small, are prohibitive for the large number of Aboriginal people who are on low incomes. Thus an easy, cost-efficient way of improving access to telecommunications services may be to cover this small network extension cost.

Recommendation 4

The Central Land Council proposes that funding under the BIA program be provided to cover network extension costs.
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A lack of awareness of program funding

Aboriginal people in remote communities are often unaware of the funding available to them for provision of telecommunications infrastructure. This is in part because information about telecommunication options is in a format that is inappropriate to Aboriginal people. For example, forms are often in complex English which fails to recognise that English is often the third or fourth language for people in remote Aboriginal communities. Moreover, programs that are directed at providing phone services to remote Australians are often not publicised using specialised Aboriginal media, such as the BRACS radio network or popular Aboriginal radio and television stations. These problems mean that a process that relies on Aboriginal people applying for funding is likely to be unsuccessful and is likely to result in communities that are better serviced in terms of support staff, receiving a higher level of support. A better approach is to have communities prioritised, as discussed above.

Recommendation 5

That DCITA recognise that Aboriginal people with critical telecommunications needs are often unaware of the funding available to them for provision of telecommunications infrastructure. The CLC strongly recommends that DCITA not rely on a process where Aboriginal people apply directly for funding.

The Community Phones Program

The CLC remains concerned that the Community Phones Program (CPP) has delivered only marginal benefits to Aboriginal people and has not improved access to telecommunications infrastructure in 'greatest need' communities. The fact that the CPP has only delivered phone services to communities with already existing infrastructure is a major failing of the program. In addition, the CPP seems particularly focused on providing community phones, hereafter termed 'robust phones' to communities.

The CLC remains concerned that historically the CPP has provided communities, almost exclusively, with robust phones. The BIA also seems committed to this approach, in spite of the fact that evaluation of the CPP and the provision of robust phones is yet to be released. The CLC has a number of concerns with the robust phone model namely:

- People are opting to use traditional pay phones rather than robust phones. This may be because traditional pay phones are more accessible, in that they are coin operated and everyone has access to coins. It may also be because very few people have been shown how to use community phones, and what card to use with the phones.
- The card distribution network is essential to ensuring access to the phones. To date Telstra has put very little energy into ensuring that there are sufficient card outlets and as a consequence very few outlets stock the country calling card.
- The country calling cards require an extremely long number sequence, which makes them difficult to use.

These concerns indicate that the BIA must offer a number of different models of telecommunications access to remote Aboriginal communities, rather than just

focusing on the robust phone. In particular the CLC would like to see a widespread roll out of the country calling line product to remote communities, and particularly to those without existing infrastructure.

The Central Land Council is concerned that the robust phone could potentially be used by Telstra as a cheaper way of meeting their USO obligation with respect to payphones. DCITA and the ACA must keep a watching brief on this issue and it must be clear that where communities have opted for a robust phone they have done this because they have been presented with a number of appropriate options, not simply just because it looks like the closest approximation to a standard payphone.

Recommendation 6

That the BIA offer a number of different models of telecommunications access to remote Aboriginal communities, rather than just focusing on the robust phone. In particular the CLC would like to see a widespread roll out of the country calling line product to remote communities, and particularly to those without existing infrastructure.

Storing of culturally significant material

In the CLC's experience issues surrounding the recording and storing of culturally significant material are complex and require serious consideration. Placing cultural material on the internet may not be appropriate and is something that also needs serious consideration.

A large number of repositories of cultural material already exist in Aboriginal communities across Australia. It is important that DCITA work with existing programs and repositories of cultural material and that extensive consultation is conducted with communities for whom any new repositories are being developed. Many large institutions have spent many years grappling with the issues associated with the storing of cultural material. DCITA should also consult directly with bodies such as the Australian Institute of Aboriginal and Islander Studies (AIATSIS), the Strelow Centre and the State and Territory Libraries before any policy is developed in this area.

Recommendation 7

That DCITA recognise that issues surrounding the recording and storing of culturally significant material are complex and require serious consideration.

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That DCITA should consult directly with bodies such as the Australian Institute of Aboriginal and Islander Studies (AIATSIS), the Strelow Centre and the State and Territory Libraries before any policy is developed in this area.

Mobile phone access

A major gap in the BIA program is that there is no discussion of the mobile phone problems that are increasingly encountered by Aboriginal people in remote communities. Aboriginal people with limited access to fixed telecommunication services are increasingly turning to mobile phones as a way of accessing basic

telecommunications services. This, in turn, can create major credit management problems. Anecdotal evidence suggests that Aboriginal people on low incomes in Alice Springs and remote central Australian communities are facing major credit management issues caused by the purchasing of expensive fixed contract and pre-paid mobile phone packages. The Central Land Council plans to commission further research in this area.

Telecommunications service providers must recognise that mobile phones are often the only telecommunications service available to many people. A possible solution to the credit management issues faced by low income people who adopt mobile technology is the development by service providers of a low-income pre-paid phone package, similar to the packages offered to low income users in other areas of telecommunications. This package could operate the same way as other low income telecommunications products such that people need to show health care card in order to access the product.

Recommendation 9

That DCITA, the ACA and service providers work to develop an affordable pre-paid mobile phone package for low income consumers.
